

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KAREN SUE DORNBUSH,

Petitioner,

v.

DENNY SMITH,

Respondent.

No. 09-cv-65-DRH-DGW

ORDER

HERNDON, Chief Judge:

Before the Court is a Report and Recommendation (the Report) (Doc. 28) issued on November 22, 2011, by United States Magistrate Judge Donald G. Wilkerson recommending that the motion to dismiss (Doc. 27) filed by respondent Denny Smith be granted, that the case be dismissed, and that the Court adopt the following findings of fact and conclusions of law. Upon issuance, the Report was sent to the parties with a notice informing them of their right to appeal by way of filing “objections” by December 9, 2011. To date, none of the parties have filed objections, and the period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), this Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). Thus, the Court **ADOPTS** the Report in its entirety (Doc. 28). Respondent Smith’s motion to dismiss is granted and the case is closed. The

Clerk is to enter judgment accordingly.

IT IS SO ORDERED.

Signed this 13th day of December, 2011.

David R. Herndon



David R. Herndon

2011.12.13

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**Chief Judge
United States District Court**